

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
(Alexandria Division)**

NATIONAL RIFLE ASSOCIATION OF
AMERICA,

Plaintiff/Counter-Defendant,

v.

LOCKTON AFFINITY SERIES OF LOCK-
TON AFFINITY, LLC, and KANSAS CITY
SERIES OF LOCKTON COMPANIES, LLC,

Defendants/Counter-Plaintiffs.

Civil Action No. 1:18-cv-00639-LO-JFA

JURY TRIAL DEMANDED

**NRA’S MOTION FOR THE ISSUANCE OF A LETTER OF REQUEST FOR THE
PRODUCTION OF DOCUMENTS UNDER THE HAGUE CONVENTION ON THE
TAKING OF EVIDENCE ABROAD IN CIVIL OR COMMERCIAL MATTERS**

COMES NOW Plaintiff/Counter-Defendant National Rifle Association of America, by and through counsel, and hereby moves this Court pursuant to the Hague Convention of 18 March 1970 on the Taking of Evidence Abroad in Civil or Commercial Matters, 28 U.S.C. § 1781, and Fed. R. Civ. P. 28, and the Evidence (Proceedings in Other Jurisdictions) Act 1975 c. 34, for the issuance of a Letter of Request for International Judicial Assistance to compel the production of documents by Lloyd’s of London Ltd. and its syndicates, as set forth in Schedule A to the proposed Letter of Request, a collection of insurance underwriters organized and operating in the United Kingdom that underwrote a portion of the affinity-insurance programs brokered and managed on the NRA’s behalf by Defendants/Counter-Plaintiffs Lockton Affinity Series of Lockton Affinity, LLC, and Kansas City Series of Lockton Companies, LLC, and which are the subject of this dispute. A proposed Letter of Request for International Judicial Assistance, following the model form set out in the Hague Evidence Convention, is filed concurrently herewith.

The documents requested by the NRA are set forth in Schedule B to that proposed Letter of Request.

The NRA makes this motion on the grounds that Lloyd's and the syndicates have the evidence sought in the Letter of Request, the documents may not be obtained by other means, and the documents sought are central to the factual bases for the NRA's breach-of-contract claims and will also contain facts highly relevant to Lockton's affirmative defense that it performed under the agreements and its counterclaim that the NRA prevented its performance.

In support of this application, the NRA respectfully refers the Court to the Memorandum of Law in Support of its Motion for the Issuance of a Letter of Request for the Production of Documents under the Hague Convention on the Taking of Evidence Abroad in Civil or Commercial Matters, all other pleadings and papers on file in this action, any matters of which this Court may take judicial notice, and such further evidence and argument as may be presented at or before the hearing on this matter.

In accordance with Local Civil Rule 7(E), on October 31, 2018, counsel for the NRA conferred with counsel for Lockton by telephone to inquire whether Lockton takes a position on the relief requested in this motion. NRA counsel thereafter shared the proposed Letter of Request for International Judicial Assistance requested herein with Lockton counsel. On November 2, 2018, counsel for Lockton informed NRA counsel that Lockton opposes the relief requested herein.

Dated: November 8, 2018

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on November 8, 2018, I caused a copy of the foregoing to be served upon the following counsel electronically through the ECF system:

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